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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kim, et al.

Examiner: Tran, Mai Huong C.

Serial No.: 10/761,488

Group: Art Unit 2818

Filed: January 21, 2004

Docket: 8836-225 (IB12190-US)

For: Electrically Erasable Programmable Read Only Memory (EEPROM) Cells
and Methods of Fabricating the Same

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed on March 29, 2005, Applicants provisionally elect, with traverse, the inventions of Group I (claims 1-3). Applicants respectfully request reconsideration of the restriction requirements for the following reasons.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313 on the date indicated below.

Dated: 4/29/05


Frank V. DeRosa

As set forth in MPEP § 803, if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though the application contains claims to independent and distinct inventions. While the inventions of Groups I and II may be distinct for whatever reasons believed by the Examiner, it is respectfully submitted that simultaneous examination will not present a serious burden. The claims of Groups I-II include subject matters that are related to the extent that all claims would most likely be commonly classified and thus readily searched. As such, it is respectfully submitted that there would be no a serious burden on Examiner to simultaneously examination commonly classified claims. Under such circumstances, it is respectfully requested that Examiner maintain all claims in the same application.

Respectfully submitted,



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